

REMARKS

Claims 1-9 are pending. The Examiner has required restriction to one of the following:

I. Claims 1-4, 6, and 7, drawn to compounds, classified in Class 549, Subclass 462.

II. Claims 5 and 8, drawn to process, classified in Class 549, Subclass 462.

III. Claims 9, drawn to method of treating hyperproliferative disorder, classified in Class 514, Subclass various.

Applicants elect Group I, with traverse. As stated above, Claims 1-4, 6 and 7 read on Group I.

Applicants respectfully request full examination of the compounds and compositions of Group I and the methods of treatment claims of group III and, at a minimum, the process of preparing a composition claim 8. A search for the compounds of Group I would necessarily result in discovery of any compositions comprising such compounds and any methods of treatment utilizing such compounds. Indeed, the search and examination of the compounds, compositions and their related methods of use would likely be co-extensive and, in any event, would involve such interrelated art that the search and examination of the both groups can be made without undue burden on the Examiner. In the alternative, Applicants respectfully rejoiner request of the compounds and compositions of Group I and the methods of treatment claims of group III.

The afore-mentioned election is being made solely to comply with, and be fully-responsive to, the restriction requirement set forth in the Office Action. Applicants respectfully reserve the right to pursue any non-elected or otherwise unclaimed subject matter in one or more continuation, continuation-in-part, or divisional applications.

Applicants note that \$555 was paid with a request for extension of time for 3 months on May 22, 2009. Applicants note that this request incorrectly stated the Shortened Statutory Period was to end on February 27, 2009. However, as can be seen from the Office Action, the

Shortened Statutory Period actually expired on April 27, 2009. Nevertheless, as the prior extension incorrectly paid the small entity fee, Applicants have resubmitted herewith a Petition for Extension of Time for three (3) months from April 27, 2009, to, and including, July 27, 2009. Along with the remainder of the fee required, Applicants authorize the Director to charge any further required fee or credit any overpayment to Deposit Account No. 04-1105.

Dated: July 24, 2009

Respectfully submitted,

Electronic signature: /Nicholas J. DiCeglie, Jr./

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